

CITY OF MUSKEGON
MUSKEGON HOUSING BOARD OF APPEALS
MEETING MINUTES
07/06/06
5:30PM

ATTENDANCE: Randy Mackie, Jon Rolewicz, Ed Simmons, Kirk Kolberg, Greg Borgman, Chris Carter

ABSENT:

EXCUSED: Nick Kroes

STAFF: Carmen Smith, Don LaBrenz, Mark Kincaid, Major Metcalf, Henry Faltinowski

GUESTS: Belia Garza (1927 Brunswick), Francisco/Maria Galindo(775 Washington), Pat Lamadline(1705 Ruddiman), Jeff Vetter(1663 Park-Garage)

Meeting minutes: A motion was made by Jon Rolewicz and seconded by Chris Carter to approve the June 2006 minutes.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
				Greg Borgman

Randy Mackie
Jon Rolewicz

Nick Kroes

Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

DANGEREROUS BUILDING NEW CASES:

EN-060041 – 1927 Brunswick St. – Belia Garza, 1441 Mosedale Ave., Muskegon, MI 49442

Belia Garza was present to represent case.

Mark Kincaid stated that the house had a fire and has two issues to address after fire investigation was conducted. 1). The roof was not properly supported and 2). Problems with the electrical service. Greg Borgman asked was Ms Garza living in the house and Chris Carter asked if it was the primary residence. Ms Garza said she wasn't living there but relatives are. Mark Kincaid stated no one should be allowed to live in the home at this time. Ms Garza said she doesn't think she will have the funds to repair the house, there was no insurance on property. Chris Carter stated Ms Garza should first get an inspection to see what you're up against and then access the situation after that.

Staff Recommendation: Table case until the September 2006 meeting to allow owner time to obtain permits and provide timeline for repairs and schedule an interior inspection.

Motion made by Randy Mackie and seconded by Ed Simmons to accept staff recommendation.

A roll call vote was taken:

AYES:

Randy Mackie

Chris Carter
Ed Simmons
Kirk Kolberg

NAYES:

Greg Borgman

Jon Rolewicz

EXCUSED:

Nick Kroes

ABSENT:

Motion carried.

DANGEROUS BUILDING REVIEW CASES:

EN-030115 – 775 Washington – Maria/Francisco Galindo – 1873 W. Whitehall Rd., N. Muskegon, MI 49445

Maria/Francisco Galindo was present to represent case.

Francisco Galindo stated he has worked on the house but now stuck on furnace because he has bought house next door. Henry Faltinowski stated that he conducted monthly progress inspections and has made progress on framing board but needs to get on mechanical, electrical, & plumbing permits. Francisco Galindo said he has done the plumbing but hasn't called for inspection yet. He also said he's worked on wiring but not finish. Don LaBrenz stated there hasn't been much progress of late because Mr. Galindo has focused attention on other projects and this property has fallen by the wayside. Mr. Galindo stated he took on projects he shouldn't have and is thinking about refinancing to complete repairs. Mark Kincaid stated this case has been ongoing for two years without much progress but if Mr. Galindo should make progress, renew permits, provide timeline they would delay sending it to City Commission.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building.

Motion made by Chris Carter and seconded by Jon Rolewicz to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz

NAYES:

EXCUSED:

ABSENT:

Nick Kroes

Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

PROPERTY MAINTENANCE CODE APPEAL CASES:

1705 Ruddiman - Patricia Lamadline, 1705 Ruddiman, Muskegon, MI 49441

Patricia Lamadline was present to represent the case.

Ms Lamadline stated she was trying to get a home equity loan and needed more time to complete repairs.

Staff Recommendation: Grant extension until August 30, 2006 to secure financing and complete repairs.

Motion made by Randy Mackie and seconded by Chris Carter to accept staff recommendation.

A roll call vote was taken:

AYES:

NAYES:

EXCUSED:

ABSENT:

Greg Borgman
Randy Mackie
Jon Rolewicz

Nick Kroes

Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

DANGEROUS BUILDING NEW CASES:

EN-060044 – 1663 Park(Garage) – Jeff Vetter, 1663 Park, Muskegon, MI 49441

Jeff Vetter was present to represent case.

Mr. Vetter said he would like extra time to tear it down himself in a couple of weeks. Ed Simmons asked if Mr. Vetter was aware he needed to obtain permits.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building.

Motion made by Jon Rolewicz and seconded by Chris Carter to accept staff recommendation.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>
Greg Borgman			
Randy Mackie			
Jon Rolewicz			
		Nick Kroes	
Chris Carter			
Ed Simmons			
Kirk Kolberg			

Motion carried.

PROPERTY MAINTENANCE CODE APPEAL CASES:

1759 Jefferson – Diane Ostermann, 2936 Orshal Rd, Muskegon, MI 49445

No one was present to represent case.

Staff Recommendation: Grant extension until August 15, 2006 to complete repairs

Motion made by Randy Mackie and seconded by Chris Carter to accept staff recommendation.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>
Greg Borgman			
Randy Mackie			
Jon Rolewicz			
		Nick Kroes	
Chris Carter			
Ed Simmons			
Kirk Kolberg			

Motion carried.

1845 Kinsey – Sean Mullally, 850 Victor, N. Muskegon, MI 49445

No one was present to represent case.

Mark Kincaid presented letter written by Mr. Mullally for board to review. Mr. Kincaid said regarding Item #1, if drain line trap is not sufficient staff would be willing to have

Mechanical Inspector to take a look at it. Item #2 it was dry when inspected but has been wet before because it's stated in letter groundwater has caused small puddles. The citations of the property maintenance codes states that it has to be water tight and there are citations in the property maintenance code regarding the drain. Chris Carter asked if we knew that the City was not the cause of the problem with the groundwater and have we checked to make sure we're not the cause. Mark Kincaid said Mr. Mullally has admitted that there were problems before. Chris Carter asked how long it would take to check. Mark Kincaid said that upon the customer request DPW could take a look. Henry Faltinowski said Mr. Mullally is blaming the city sewer infrastructure for other problems he's having not what Roxi Wever, housing inspector found around the foundation wall, the only thing the city can verify is if the city is responsible for sewage backup we can't verify if that water is coming in from his foundation. Chris Carter said it's important that we're sure there is no confusion between sewer and water. Mark Kincaid said we have two issues going on water coming in from the foundation and the other is a sewer backup, which he trusts the inspector should clearly know the difference. Mark Kincaid said on items 3 & 4 if the house was owner occupied it wouldn't be a problem but because it's a rental the support system has to support the floors and currently it does not. It's a joist/foundation issue. Henry Faltinowski stated the joist system has been overtly cut, notched and is starting to fail and even if the home is owner occupied, if joist starts to fail at any time it should be sistered or re-supported whether you own the home or it's a rental it could throw someone into a dangerous building situation.

Staff Recommendation: Deny items #1, #3, #4 and #5 and table Item #2 until next meeting.

Motion made by Jon Rolewicz and seconded by Chris Carter to accept staff recommendation.

A roll call vote was taken:

AYES:

Greg Borgman
Randy Mackie
Jon Rolewicz

NAYES:

EXCUSED:

ABSENT:

Nick Kroes

Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

DANGEROUS BUILDING NEW CASES:

EN-060035 – 644 Catherine (Garage) – Yolanda Terrel, 644 Catherine, Muskegon, MI 49442

No one was present to represent property.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building.

Motion made by Randy Mackie and seconded by Jon Rolewicz to accept staff recommendation.

A roll call vote was taken:

AYES:

NAYES:

EXCUSED:

ABSENT:

Greg Borgman
Randy Mackie
Jon Rolewicz

Nick Kroes

Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

EN-060036 –1114 E. Dale Ave – Every/Dawn Tyler, 3765 Michillinda Rd, Twin Lake, MI 49457

No one was present to represent case.

Staff Recommendation: Declare the building substandard, a public nuisance, and dangerous building.

Motion made by Chris Carter and seconded by Randy Mackie to accept staff recommendation.

A roll call vote was taken:

AYES:

NAYES:

EXCUSED:

ABSENT:

Greg Borgman

Randy Mackie
Jon Rolewicz

Nick Kroes

Chris Carter
Ed Simmons
Kirk Kolberg

Motion carried.

OLD BUSINESS:

Mark Kincaid we had movement on 1271 Eighth that was declared by HBA in March 2006 but new owner came in and permits issued and hopefully will soon come off the list. Greg Borgman asked about Marshall Redder properties and asked about the property next to Bolt Hardware. Henry Faltinowski said they are in the process of writing up Bolt Hardware because of no progress.

NEW BUSINESS:

ADJOURNMENT: 6:30 PM

CITY OF MUSKEGON

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF
THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Gail Kunder, City Clerk
933 Terrace Street
Muskegon, MI 49443
(616) 724-6705 or TDD (616) 724-6773